

THE ROSEN LAW FIRM, P.A.

Laurence M. Rosen, Esq. (LR 5733)

Phillip Kim, Esq. (PK 9384)

Jonathan Horne, Esq. (JH 7258)

275 Madison Avenue, 34th Floor

New York, New York 10016

Telephone: (212) 686-1060

Fax: (212) 202-3827

Email: lrosen@rosenlegal.com

Lead Counsel for Plaintiffs and the Putative Class

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STREAM SICAV, DHARANENDRA RAI,
AND TIEN CHUNG, INDIVIDUALLY
AND ON BEHALF OF ALL OTHERS
SIMILARLY SITUATED,

Plaintiffs,

v.

JAMES JUN WANG, SMARTHEAT, INC.,
and JOHN DOES 1-4,

Defendants.

Case No: 12-cv-6682-PAE

ECF CASE

CLASS ACTION

NOTICE OF MOTION AND MOTION TO STRIKE

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Motion to Strike, and all prior proceedings had herein, Plaintiffs Stream SICAV, Dharanendra Rai, and Tien Chung ("Plaintiffs") will move this Court, before the Honorable Judge Paul A. Engelmayer, United States District Judge for the Southern District of New York, Courtroom 1305, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, on a date which shall be set by the Court, for an order striking Exhibit A to the Declaration of James L. Kopecky, and for such other relief as the Court deems just and proper.

The grounds for Plaintiffs' relief is that the Exhibit A was not relied on in drafting Plaintiffs' complaint, that Plaintiffs reasonably Exhibit A's accuracy and authenticity, and that Exhibit A is offered for the truth of its contents.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 6.1 of the Rules of this Court, any opposing or answering papers must be served within 14 days after service upon Defendants' counsel of these motion papers, and any reply papers shall be served within 7 days.

Dated: May 22, 2013

Respectfully submitted,

THE ROSEN LAW FIRM, P.A.

/s/ Jonathan Horne

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